

**Telecommunications Act of 1996. (47 USC 151, 157, 158, 201, 203, 552, 553, 571–73 (P.L. 104–104))**

**Sec. 151. - Purposes of chapter; Federal Communications Commission created**

For the purpose of regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges, for the purpose of the national defense, for the purpose of promoting safety of life and property through the use of wire and radio communications, and for the purpose of securing a more effective execution of this policy by centralizing authority heretofore granted by law to several agencies and by granting additional authority with respect to interstate and foreign commerce in wire and radio communication, there is created a commission to be known as the "Federal Communications Commission", which shall be constituted as hereinafter provided, and which shall execute and enforce the provisions of this chapter

**Sec. 157. - New technologies and services**

(a) It shall be the policy of the United States to encourage the provision of new technologies and services to the public. Any person or party (other than the Commission) who opposes a new technology or service proposed to be permitted under this chapter shall have the burden to demonstrate that such proposal is inconsistent with the public interest.

(b) The Commission shall determine whether any new technology or service proposed in a petition or application is in the public interest within one year after such petition or application is filed. If the Commission initiates its own proceeding for a new technology or service, such proceeding shall be completed within 12 months after it is initiated

**Sec. 158. - Application fees**

**(a) Assessment and collection**

The Commission shall assess and collect application fees at such rates as the Commission shall establish or at such modified rates as it shall establish pursuant to the provisions of subsection (b) of this section.

**(b) Review and adjustment of Schedule by Commission; notification to Congress; judicial review**

(1) The Schedule of Application Fees established under this section shall be reviewed by the Commission every two years after October 1, 1991, and adjusted by the Commission to reflect changes in the Consumer Price Index. Increases or decreases in application fees shall apply to all categories of application fees, except that individual fees shall not be adjusted until the increase or decrease, as determined by the net change in the Consumer Price Index since April 7, 1986, amounts to at least \$5.00 in the case of fees under \$100.00, or 5 percent in the case of fees of \$100.00 or more. All fees which require adjustment will be rounded upward to the next \$5.00 increment. The Commission shall transmit to the Congress notification of any such adjustment not later than 90 days before the effective date of such adjustment.

(2) Increases or decreases in application fees made pursuant to this subsection shall not be subject to judicial review.

(c) Additional application fee; assessment as penalty; amount; dismissal of application or other filing

(1) The Commission shall prescribe by regulation an additional application fee which shall be assessed as a penalty for late payment of application fees required by subsection (a) of this section. Such penalty shall be 25 percent of the amount of the application fee which was not paid in a timely manner.

(2) The Commission may dismiss any application or other filing for failure to pay in a timely manner any application fee or penalty under this section.

(d) Inapplicability of application fees to certain radio services; waiver or deferment of payment

(1) The application fees established under this section shall not be applicable  
(A) to governmental entities and nonprofit entities licensed in the following radio services: Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, Public Safety, and Special Emergency Radio, or  
(B) to governmental entities licensed in other services.

(2) The Commission may waive or defer payment of an charge such action would promote the public interest.

(e) Deposit of moneys in general fund; reimbursement of United States for administration of chapter States for administration of chapter Moneys received from application fees established under this section shall be deposited in the general fund of the Treasury to reimburse the United States for amounts appropriated for use by the Commission in carrying out its functions under this chapter.

(f) Rules and regulations

The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section.

(g) Schedule of Application Fees

Until modified pursuant to subsection (b) of this section, the Schedule of Application Fees which the Federal Communications Commission shall prescribe pursuant to subsection (a) of this section shall be as follows

## **SCHEDULE OF APPLICATION FEES**

Service Fee amount

### **PRIVATE RADIO SERVICES**

#### **1. Marine Coast Stations**

- a. New License (per station) \$70.00\
- b. Modification of License (per station) 70.00
- c. Renewal of License (per station) 70.00
- d. Special Temporary Authority (Initial, Modifications, Extensions) 100.00
- e. Assignments (per station) 70.00
- f. Transfers of Control (per station) 35.00
- g. Request for Waiver
  - (i) Routine (per request) 105.00
  - (ii) Non-Routine (per rule section/per station) 105.00

#### **2. Ship Stations**

- a. New License (per application) 35.00

- b. Modification of License (per application) 35.00
  - c. Renewal of License (per application) 35.00
  - d. Request for Waiver
    - (i) Routine (per request) 105.00
    - (ii) Non-Routine (per rule section/per station) 105.00
3. Operational Fixed Microwave Stations
- a. New License (per station) 155.00
  - b. Modification of License (per station) 155.00
  - c. Renewal of License (per station) 155.00
  - d. Special Temporary Authority (Initial, Modifications, Extensions) 35.00
  - e. Assignments (per station) 155.00
  - f. Transfers of Control (per station) 35.00
  - g. Request for Waiver
    - (i) Routine (per request) 105.00
    - (ii) Non-Routine (per rule section/per station) 105.00
3. Aviation (Ground Stations)
- a. New License (per station) 70.00
  - b. Modification of License (per station) 70.00
  - c. Renewal of License (per station) 70.00
  - d. Special Temporary Authority (Initial, Modifications, Extensions) 100.00
  - e. Assignments (per station) 70.00
  - f. Transfers of Control (per station) 35.00
4. Request for Waiver
- (i) Routine (per request) 105.00
  - (ii) Non-Routine (per rule section/per station) 105.00
5. Aircraft Stations
- a. New License (per application) 35.00
  - b. Modification of License (per application) 35.00
  - c. Renewal of License (per application) 35.00
  - d. Request for Waiver
    - (i) Routine (per request) 105.00
    - (ii) Non-Routine (per rule section/per station) 105.00
6. Land Mobile Radio Stations (including Special Emergency and Public Safety Stations)
- a. New License (per call sign) 35.00
  - b. Modification of License (per call sign) 35.00
  - c. Renewal of License (per call sign) 35.00
  - d. Special Temporary Authority (Initial, Modifications, Extensions) 35.00
  - e. Assignments (per station) 35.00
  - f. Transfers of Control (per call sign) 35.00
  - g. Request for Waiver
    - (i) Routine (per request) 105.00
    - (ii) Non-Routine (per rule section/per station) 105.00
  - h. Reinstatement (per call sign) 35.00
  - i. Specialized Mobile Radio Systems-Base Stations

- (i) New License (per call sign) 35.00
    - (ii) Modification of License (per call sign) 35.00
    - (iii) Renewal of License (per call sign) 35.00
    - (iv) Waiting List (annual application fee per application) 35.00
    - (v) Special Temporary Authority (Initial, Modifications, Extensions) 35.00
    - (vi) Assignments (per call sign) 35.00
    - (vii) Transfers of Control (per call sign) 35.00
    - (viii) Request for Waiver
      - (1) Routine (per request) 105.00
      - (2) Non-Routine (per rule section/per station) 105.00
    - (ix) Reinstatements (per call sign) 35.00
  - j. Private Carrier Licenses
    - (i) New License (per call sign) 35.00
    - (ii) Modification of License (per call sign) 35.00
    - (iii) Renewal of License (per call sign) 35.00
    - (iv) Special Temporary Authority (Initial, Modifications, Extensions) 35.00
    - (v) Assignments (per call sign) 35.00
    - (vi) Transfers of Control (per call sign) 35.00
    - (vii) Request for Waiver (
      - (1) Routine (per request) 105.00
      - (2) Non-Routine (per rule section/per station) 105.00
    - (viii) Reinstatements (per call sign) 35.00
  - 7. General Mobile Radio Service
    - a. New License (per call sign) 35.00
    - b. Modifications of License (per call sign) 35.00
    - c. Renewal of License (per call sign) 35.00
    - d. Request for Waiver
      - (i) Routine (per request) 105.00
      - (ii) Non-Routine (per rule section/per station) 105.00
    - e. Special Temporary Authority (Initial, Modifications, Extensions) 35.00
    - f. Transfer of control (per call sign) 35.00
  - 8. Restricted Radiotelephone Operator Permit 35.00
  - 9. Request for Duplicate Station License (all services) 35.00
  - 10. Hearing (Comparative, New, and Modifications) 6,760.0
- EQUIPMENT APPROVAL SERVICES/EXPERIMENTAL RADIO**
- 1. Certification
    - a. Receivers (except TV and FM receivers) 285.00
    - b. All Other Devices 735.00
    - c. Modifications and Class II Permissive Changes 35.00
    - d. Request for Confidentiality 105.00
  - 2. Type Acceptance
    - a. All Devices 370.00
    - b. Modifications and Class II Permissive Changes 35.00
    - c. Request for Confidentiality 105.00

3. Type Approval (all devices)
  - a. With Testing (including Major Modifications) 1,465.00
  - b. Without Testing (including Minor Modifications) 170.00
  - c. Request for Confidentiality 105.00
4. Notifications 115.00
5. Advance Approval for Subscription TV System 2,255.00
  - a. Request for Confidentiality 105.00
6. Assignment of Grantee Code for Equipment Identification 35.00
7. Experimental Radio Service
  - a. New Construction Permit and Station Authorization (per application) 35.00
  - b. Modification to Existing Construction Permit and Station Authorization (per application) 35.00
  - c. Renewal of Station Authorization (per application) 35.00
  - d. Assignment or Transfer of Control (per application) 35.00
  - e. Special Temporary Authority (per application) 35.00
  - f. Additional Application Fee for Applications Containing Requests to Withhold Information From Public Inspection (per application) 35.00

## **MASS MEDIA SERVICES**

1. Commercial TV Stations
  - a. New or Major Change Construction Permits 2,535.00
  - b. Minor Change 565.00
  - c. Hearing (Major/Minor Change, Comparative New, or Comparative Renewal) 6,760.00
  - d. License 170.00
  - e. Assignment or Transfer
    - (i) Long Form (Forms 314/315) 565.00
    - (ii) Short Form (Form 316) 80.00
  - f. Renewal 100.00
  - g. Call Sign (New or Modification) 55.00
  - h. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
  - i. Extension of Time to Construct or Replacement of CP 200.00
  - j. Permit to Deliver Programs to Foreign Broadcast Stations 55.00
  - k. Petition for Rulemaking for New Community of License 1,565.00
  - l. Ownership Report (per report) 35.00
2. Commercial Radio Stations
  - a. New and Major Change Construction Permit
    - (i) AM Station 2,255.00
    - (ii) FM Station 2,030.00
  - b. Minor Change
    - (i) AM Station 565.00
    - (ii) FM Station 565.00
  - c. Hearing (Major/Minor Change, Comparative New, or Comparative Renewal) 6,760.00
  - d. License

- (i) AM 370.00
    - (ii) FM 115.00
    - (iii) AM Directional Antenna 425.00
    - (iv) FM Directional Antenna 355.00
  - (v) AM Remote Control 35.00
  - e. Assignment or Transfer
    - (i) Long Form (Forms 314/315) 565.00
    - (ii) Short Form (Form 316) 80.00
  - f. Renewal 100.00
  - g. Call Sign (New or Modification) 55.00
  - h. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
  - i. Extension of Time to Construct or Replacement of CP 200.00
  - j. Permit to Deliver Programs to Foreign Broadcast Stations 55.00
  - k. Petition for Rulemaking for New Community of License or Higher Class Channel 1,565.00
  - l. Ownership Report (per report) 35.00
- 3. FM Translators
  - a. New or Major Change Construction Permit 425.00
  - b. License 85.00
  - c. Assignment or Transfer 80.00
  - d. Renewal 35.00
  - e. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
- 4. TV Translators and LPTV Stations
  - a. New or Major Change Construction Permit 425.00
  - b. License 85.00
  - c. Assignment or Transfer 80.00
  - d. Renewal 35.00
  - e. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
- 5. Auxiliary Services (Includes Remote Pickup stations, TV Auxiliary Broadcast stations, Aural Broadcast STL and Intercity Relay stations, and Low Power Auxiliary stations)
  - a. Major Actions 85.00
  - b. Renewals 35.00
  - c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
- 6. FM/TV Boosters
  - a. New and Major Change Construction Permits 425.00
  - b. License 85.00
  - c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
- 7. International Broadcast Station
  - a. New Construction Permit and Facilities Change CP 1,705.00
  - b. License 385.00

- c. Assignment or Transfer (per station) 60.00
- d. Renewal 95.00
- e. Frequency Assignment and Coordination (per frequency hour) 35.00
- f. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
- 8. Cable Television Service
  - a. Cable Television Relay Service
    - (i) Construction Permit 155.00
    - (ii) Assignment or Transfer 155.00
    - (iii) Renewal 155.00
    - (iv) Modification 155.00
    - (v) Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.00
  - b. Cable Special Relief Petition 790.00
  - c. 76.12 Registration Statement (per statement) 35.00
  - d. Aeronautical Frequency Usage Notifications (per notice) 35.00
  - e. Aeronautical Frequency Usage Waivers (per waiver) 35.00
- 9. Direct Broadcast Satellite
  - a. New or Major Change Construction Permit
    - (i) Application for Authorization to Construct a Direct Broadcast Satellite 2,030.00
    - (ii) Issuance of Construction Permit & Launch Authority 19,710.00
    - (iii) License to Operate Satellite 565.00
  - b. Hearing (Comparative New, Major/Minor Modifications, or Comparative Renewal) 6,760.00
  - c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent) 100.0

## **COMMON CARRIER SERVICES**

- 1. All Common Carrier Services
  - a. Hearing (Comparative New or Major/Minor Modifications) 6,760.00
  - b. Development Authority . . . Same application fee as regular authority in service unless otherwise indicated
  - c. Formal Complaints and Pole Attachment Complaints Filing Fee 120.00
  - d. Proceeding under section 1008(b) of this title 5,000
- 2. Domestic Public Land Mobile Stations (includes Base, Dispatch, Control & Repeater Stations)
  - a. New or Additional Facility (per transmitter) 230.00
  - b. Major Modifications (per transmitter) 230.00
  - c. Fill In Transmitters (per transmitter) 230.00
  - d. Major Amendment to a Pending Application (per transmitter) 230.00
  - e. Assignment or Transfer
    - (i) First Call Sign on Application 230.00
    - (ii) Each Additional Call Sign 35.00
  - f. Partial Assignment (per call sign) 230.00
  - g. Renewal (per call sign) 35.00
  - h. Minor Modification (per transmitter) 35.00
  - i. Special Temporary Authority (per frequency/per location) 200.00

- j. Extension of Time to Construct (per application) 35.00
- k. Notice of Completion of Construction (per application) 35.00
- l. Auxiliary Test Station (per transmitter) 200.00
- m. Subsidiary Communications Service (per request) 100.00
- n. Reinstatement (per application) 35.00
- o. Combining Call Signs (per call sign) 200.00
- p. Standby Transmitter (per transmitter/per location) 200.00
- q. 900 MHz Nationwide Paging
  - (i) Renewal
    - (1) Network Organizer 35.00
    - (2) Network Operator (per operator/per city) 35.00
- r. Air-Ground Individual License (per station)
  - (i) Initial License 35.00
  - (ii) Renewal of License 35.00
  - (iii) Modification of License 35.00
- 3. Cellular Systems (per system)
  - a. New or Additional Facilities 230.00
  - b. Major Modification 230.00
  - c. Minor Modification 60.00
  - d. Assignment or Transfer (including partial) 230.00
  - e. License to Cover Construction
    - (i) Initial License for Wireline Carrier 595.00
    - (ii) Subsequent License for Wireline Carrier 60.00
    - (iii) License for Nonwireline Carrier 60.00
    - (iv) Fill In License (all carriers) 60.00
  - f. Renewal 35.00
  - g. Extension of Time to Complete Construction 35.00
  - h. Special Temporary Authority (per system) 200.00
  - i. Combining Cellular Geographic Service Areas (per system) 50.00
- 4. Rural Radio (includes Central Office, Interoffice, or Relay Facilities)
  - a. New or Additional Facility (per transmitter) 105.00
  - b. Major Modification (per transmitter) 105.00
  - c. Major Amendment to Pending Application (per transmitter) 105.00
  - d. Minor Modification (per transmitter) 35.00
  - e. Assignments or Transfers
    - (i) First Call Sign on Application 105.00
    - (ii) Each Additional Call Sign 35.00
    - (iii) Partial Assignment (per call sign) 105.00
  - f. Renewal (per call sign) 35.00
  - g. Extension of Time to Complete Construction (per application) 35.00
  - h. Notice of Completion of Construction (per application) 35.00
  - i. Special Temporary Authority (per frequency/per location) 200.00
  - j. Reinstatement (per application) 35.00
  - k. Combining Call Signs (per call sign) 200.00
  - l. Auxiliary Test Station (per transmitter) 200.00
  - m. Standby Transmitter (per transmitter/per location) 200.00



5. Offshore Radio Service (Mobile, Subscriber, and Central Stations; fees would also apply to any expansion of this service into coastal waters other than the Gulf of Mexico)
  - a. New or Additional Facility (per transmitter) 105.00
  - b. Major Modifications (per transmitter) 105.00
  - c. Fill In Transmitters (per transmitter) 105.00
  - d. Major Amendment to Pending Application (per transmitter) 105.00
  - e. Minor Modification (per transmitter) 35.00
  - f. Assignment or Transfer
    - (i) Each Additional Call Sign 35.00
    - (ii) Partial Assignment (per call sign) 105.00
  - g. Renewal (per call sign) 35.00
  - h. Extension of Time to Complete Construction (per application) 35.00
  - i. Reinstatement (per application) 35.00
  - j. Notice of Completion of Construction (per application) 35.00
  - k. Special Temporary Authority (per frequency/per location) 200.00
  - l. Combining Call Signs (per call sign) 200.00
  - m. Auxiliary Test Station (per transmitter) 200.00
  - n. Standby Transmitter (per transmitter/per location) 200.00
6. Point-to-Point Microwave and Local Television Radio Service
  - a. Conditional License (per station) 155.00
  - b. Major Modification of Conditional License or License Authorization (per station) 155.00
  - c. Certification of Completion of Construction (per station) 155.00
  - d. Renewal (per licensed station) 155.00
  - e. Assignment or Transfer
    - (i) First Station on Application 55.00
    - (ii) Each Additional Station 35.00
  - f. Extension of Construction Authorization (per station) 55.00
  - g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request) 70.00
7. Multipoint Distribution Service (including multichannel MDS)
  - a. Conditional License (per station) 155.00
  - b. Major Modification of Conditional License or License Authorization (per station) 155.00
  - c. Certification of Completion of Construction (per channel) 455.00
  - d. Renewal (per licensed station) 155.00
  - e. Assignment or Transfer
    - (i) First Station on Application 55.00
    - (ii) Each Additional Station 35.00
  - f. Extension of Construction Authorization (per station) 110.00
  - g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request) 70.00
8. Digital Electronic Message Service
  - a. Conditional License (per nodal station) 155.00

- b. Modification of Conditional License or License Authorization (per nodal station) 155.00
  - c. Certification of Completion of Construction (per nodal station) 155.00
  - d. Renewal (per licensed nodal station) 155.00
  - e. Assignment or Transfer
    - (i) First Station on Application 55.00
    - (ii) Each Additional Station 35.00
  - f. Extension of Construction Authorization (per station) 55.00
  - g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request) 70.00
- 9. International Fixed Public Radio (Public and Control Stations)
  - a. Initial Construction Permit (per station) 510.00
  - b. Assignment or Transfer (per application) 510.00
  - c. Renewal (per license) 370.00
  - d. Modification (per station) 370.00
  - e. Extension of Construction Authorization (per station) 185.00
  - f. Special Temporary Authority or Request for Waiver (per request) 185.00
- 10. Fixed Satellite Transmit/Receive Earth Stations
  - a. Initial Application (per station) 1,525.00
  - b. Modification of License (per station) 105.00
  - c. Assignment or Transfer
    - (i) First Station on Application 300.00
    - (ii) Each Additional Station 100.00
  - d. Developmental Station (per station) 1,000.00
  - e. Renewal of License (per station) 105.00
  - f. Special Temporary Authority or Waivers of Prior Construction Authorization (per request) 105.00
  - g. Amendment of Application (per station) 105.00
  - h. Extension of Construction Permit (per station) 105.00
- 11. Small Transmit/Receive Earth Stations (2 meters or less and operating in the 4/6 GHz frequency band)
  - a. Lead Application 3,380.00
  - b. Routine Application (per station) 35.00
  - c. Modification of License (per station) 105.00
  - d. Assignment or Transfer
    - (i) First Station on Application 300.00
    - (ii) Each Additional Station 35.00
  - e. Developmental Station (per station) 1,000.00
  - f. Renewal of License (per station) 105.00
  - g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request) 105.00
  - h. Amendment of Application (per station) 105.00
  - i. Extension of Construction Permit (per station) 105.00
- 12. Receive Only Earth Stations
  - a. Initial Application for Registration 230.00
  - b. Modification of License or Registration (per station) 105.00

- c. Assignment or Transfer
    - (i) First Station on Application 300.00
    - (ii) Each Additional Station 100.00
  - d. Renewal of License (per station) 105.00
  - e. Amendment of Application (per station) 105.00
  - f. Extension of Construction Permit (per station) 105.00
  - g. Waivers (per request) 105.00
- 13. Very Small Aperture Terminal (VSAT) Systems
  - a. Initial Application (per system) 5,630.00
  - b. Modification of License (per system) 105.00
  - c. Assignment or Transfer of System 1,505.00
  - d. Developmental Station 1,000.00
  - e. Renewal of License (per system) 105.00
  - f. Special Temporary Authority or Waivers of Prior Construction Authorization (per request) 105.00
  - g. Amendment of Application (per system) 105.00
  - h. Extension of Construction Permit (per system) 105.00
- 14. Mobile Satellite Earth Stations
  - a. Initial Application of Blanket Authorization 5,630.00
  - b. Initial Application for Individual Earth Station 1,350.00
  - c. Modification of License (per system) 105.00
  - d. Assignment or Transfer (per system) 1,505.00
  - e. Developmental Station 1,000.00
  - f. Renewal of License (per system) 105.00
  - g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request) 105.00
  - h. Amendment of Application (per system) 105.00
  - i. Extension of Construction Permit (per system) 105.00
- 15. Radio determination Satellite Earth Stations
  - a. Initial Application of Blanket Authorization 5,630.00
  - b. Initial Application for Individual Earth Station 1,350.00
  - c. Modification of License (per system) 105.00
  - d. Assignment or Transfer (per system) 1,505.00
  - e. Developmental Station 1,000.00
  - f. Renewal of License (per system) 105.00
  - g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request) 105.00
  - h. Amendment of Application (per system) 105.00
  - i. Extension of Construction Permit (per system) 105.00
- 16. Space Stations
  - a. Application for Authority to Construct 2,030.00
  - b. Application for Authority to Launch & Operate
    - (i) Initial Application 70,000.00
    - (ii) Replacement Satellite 70,000.00
  - c. Assignment or Transfer (per satellite) 5,000.00
  - d. Modification 5,000.00

- e. Special Temporary Authority or Waiver of Prior Construction Authorization (per request) 500.00
- f. Amendment of Application 1,000.00
- g. Extension of Construction Permit/Launch Authorization (per request) 500.00
- 17. Section 214 Applications
  - a. Overseas Cable Construction 9,125.00
  - b. Cable Landing License
    - (i) Common Carrier 1,025.00
    - (ii) Non-Common Carrier 10,150.00
  - c. Domestic Cable Construction 610.00
  - d. All Other 214 Applications 610.00
  - e. Special Temporary Authority (all services) 610.00
  - f. Assignments or Transfers (all services) 610.00
- 18. Recognized Private Operating Status (per application) 610.00
- 19. Telephone Equipment Registration 155.00
- 20. Tariff Filings
  - a. Filing Fee 490.00
  - b. Special Permission Filing (per filing) 490.00
- 21. Accounting and Audits
  - a. Field Audit 62,290.00
  - b. Review of Attest Audit 34,000.00
  - c. Review of Depreciation Update Study (Single State) 20,685.00
    - (i) Each Additional State 680.00
  - d. Interpretation of Accounting Rules (per request) 2,885.00
  - e. Petition for Waiver (per petition) 4,660.00
- 22. Low-Earth Orbit Satellite Systems
  - a. Application for Authority to Construct (per system of technology identical satellites) 6,000.00
  - b. Application for Authority to Launch and Operate (per system of technologically identical satellites) 210,000.00
  - c. Assignment or Transfer (per request) 6,000.00
  - d. Modification (per request) 15,000.00
  - e. Special Temporary Authority or Waiver of Prior Construction Authorization (per request) 1,500.00
  - f. Amendment of Application (per request) 3,000.00
  - g. Extension of Construction Permit/Launch Authorization (per request) 1,500.00

#### **MISCELLANEOUS APPLICATION FEES**

- 1. International Telecommunications Settlements Administrative Fee for Collections (per line item) 2.00
- 2. Radio Operator Examinations
  - a. Commercial Radio Operator Examination 35.00
  - b. Renewal of Commercial Radio Operator License, Permit, or Certificate 35.00

- c. Duplicate or Replacement Commercial Radio Operator License, Permit, or Certificate 35.00
- 3. Ship Inspections
  - a. Inspection of Oceangoing Vessels Under Title III, Part II of the Communications Act (per inspection) 620.00
  - b. Inspection of Passenger Vessels Under Title III, Part III of the Communications Act (per inspection) 320.00
  - c. Inspection of Vessels Under the Great Lakes Agreement (per inspection) 75.00
  - d. Inspection of Foreign Vessels Under the Safety of Life at Sea (SOLAS) Convention (per inspection) 540.00
  - e. Temporary Waiver for Compulsorily Equipped Vessel 60.00

**Sec. 201. - Service and charges**

(a) It shall be the duty of every common carrier engaged in interstate or foreign communication by wire or radio to furnish such communication service upon reasonable request therefor; and, in accordance with the orders of the Commission, in cases where the Commission, after opportunity for hearing, finds such action necessary or desirable in the public interest, to establish physical connections with other carriers, to establish through routes and charges applicable thereto and the divisions of such charges, and to establish and provide facilities and regulations for operating such through routes.

(b) All charges, practices, classifications, and regulations for and in connection with such communication service, shall be just and reasonable, and any such charge, practice, classification, or regulation that is unjust or unreasonable is declared to be unlawful: Provided, That communications by wire or radio subject to this chapter may be classified into day, night, repeated, unrepeatd, letter, commercial, press, Government, and such other classes as the Commission may decide to be just and reasonable, and different charges may be made for the different classes of communications: Provided further, That nothing in this chapter or in any other provision of law shall be construed to prevent a common carrier subject to this chapter from entering into or operating under any contract with any common carrier not subject to this chapter, for the exchange of their services, if the Commission is of the opinion that such contract is not contrary to the public interest: Provided further, That nothing in this chapter or in any other provision of law shall prevent a common carrier subject to this chapter from furnishing reports of positions of ships at sea to newspapers of general circulation, either at a nominal charge or without charge, provided the name of such common carrier is displayed along with such ship position reports. The Commission may prescribe such rules and regulations as may be necessary in the public interest to carry out the provisions of this chapter

**Sec. 203. - Schedules of charges**

(a) Filing; public display

Every common carrier, except connecting carriers, shall, within such reasonable time as the Commission shall designate, file with the Commission and print and keep open for public inspection schedules showing all charges for itself and its connecting carriers for interstate and foreign wire or radio communication between the different points on its own system, and between points on its own system and points on the system of its connecting carriers or points on the system of any other carrier subject to this chapter when a through route has been established, whether

such charges are joint or separate, and showing the classifications, practices, and regulations affecting such charges. Such schedules shall contain such other information, and be printed in such form, and be posted and kept open for public inspection in such places, as the Commission may by regulation require, and each such schedule shall give notice of its effective date; and such common carrier shall furnish such schedules to each of its connecting carriers, and such connecting carriers shall keep such schedules open for inspection in such public places as the Commission may require.

**(b) Changes in schedule; discretion of Commission to modify requirements**

**(1)** No change shall be made in the charges, classifications, regulations, or practices which have been so filed and published except after one hundred and twenty days notice to the Commission and to the public, which shall be published in such form and contain such information as the Commission may by regulations prescribe.

**(2)** The Commission may, in its discretion and for good cause shown, modify any requirement made by or under the authority of this section either in particular instances or by general order applicable to special circumstances or conditions except that the Commission may not require the notice period specified in paragraph (1) to be more than one hundred and twenty days.

**(c) Overcharges and rebates**

No carrier, unless otherwise provided by or under authority of this chapter, shall engage or participate in such communication unless schedules have been filed and published in accordance with the provisions of this chapter and with the regulations made thereunder; and no carrier shall

**(1)** charge, demand, collect, or receive a greater or less or different compensation for such communication, or for any service in connection therewith, between the points named in any such schedule than the charges specified in the schedule then in effect, or

**(2)** refund or remit by any means or device any portion of the charges so specified, or

**(3)** extend to any person any privileges or facilities in such communication, or employ or enforce any classifications, regulations, or practices affecting such charges, except as specified in such schedule.

**(d) Rejection or refusal**

The Commission may reject and refuse to file any schedule entered for filing which does not provide and give lawful notice of its effective date. Any schedule so rejected by the Commission shall be void and its use shall be unlawful.

**(e) Penalty for violations**

In case of failure or refusal on the part of any carrier to comply with the provisions of this section or of any regulation or order made by the Commission thereunder, such carrier shall forfeit to the United States the sum of \$6,000 for each such offense, and \$300 for each and every day of the continuance of such offense

**Sec. 552. - Consumer protection and customer service**

**(a) Franchising authority enforcement**

A franchising authority may establish and enforce -

**(1)** customer service requirements of the cable operator; and

(2) construction schedules and other construction-related requirements, including construction-related performance requirements, of the cable operator.

**(b) Commission standards**

The Commission shall, within 180 days of October 5, 1992, establish standards by which cable operators may fulfill their customer service requirements. Such standards shall include, at a minimum, requirements governing -

(1) cable system office hours and telephone availability;

(2) installations, outages, and service calls; and

(3) communications between the cable operator and the subscriber (including standards governing bills and refunds).

**(c) Subscriber notice**

A cable operator may provide notice of service and rate changes to subscribers using any reasonable written means at its sole discretion. Notwithstanding section 543(b)(6) of this title or any other provision of this chapter, a cable operator shall not be required to provide prior notice of any rate change that is the result of a regulatory fee, franchise fee, or any other fee, tax, assessment, or charge of any kind imposed by any Federal agency, State, or franchising authority on the transaction between the operator and the subscriber.

**(d) Consumer protection laws and customer service agreements**

**(1) Consumer protection laws**

Nothing in this subchapter shall be construed to prohibit any State or any franchising authority from enacting or enforcing any consumer protection law, to the extent not specifically preempted by this subchapter.

**(2) Customer service requirement agreements**

Nothing in this section shall be construed to preclude a franchising authority and a cable operator from agreeing to customer service requirements that exceed the standards established by the Commission under subsection (b) of this section. Nothing in this subchapter shall be construed to prevent the establishment or enforcement of any municipal law or regulation, or any State law, concerning customer service that imposes customer service requirements that exceed the standards set by the Commission under this section, or that addresses matters not addressed by the standards set by the Commission under this section

**Sec. 553. - Unauthorized reception of cable service**

**(a) Unauthorized interception or receipt or assistance in intercepting or receiving service; "assist in intercepting or receiving" defined**

(1) No person shall intercept or receive or assist in intercepting or receiving any communications service offered over a cable system, unless specifically authorized to do so by a cable operator or as may otherwise be specifically authorized by law.

(2) For the purpose of this section, the term "assist in intercepting or receiving" shall include the manufacture or distribution of equipment intended by the manufacturer or distributor (as the case may be) for unauthorized reception of any communications service offered over a cable system in violation of subparagraph (1).

**(b) Penalties for willful violation**

**(1)** Any person who willfully violates subsection (a)(1) of this section shall be fined not more than \$1,000 or imprisoned for not more than 6 months, or both.

**(2)** Any person who violates subsection (a)(1) of this section willfully and for purposes of commercial advantage or private financial gain shall be fined not more than \$50,000 or imprisoned for not more than 2 years, or both, for the first such offense and shall be fined not more than \$100,000 or imprisoned for not more than 5 years, or both, for any subsequent offense.

**(3)** For purposes of all penalties and remedies established for violations of subsection (a)(1) of this section, the prohibited activity established herein as it applies to each such device shall be deemed a separate violation.

**(c)** Civil action in district court; injunctions; damages; attorney's fees and costs; regulation by States or franchising authorities

**(1)** Any person aggrieved by any violation of subsection (a)(1) of this section may bring a civil action in a United States district court or in any other court of competent jurisdiction.

**(2)** The court may -

**(A)** grant temporary and final injunctions on such terms as it may deem reasonable to prevent or restrain violations of subsection (a)(1) of this section;

**(B)** award damages as described in paragraph (3); and

**(C)** direct the recovery of full costs, including awarding reasonable attorneys' fees to an aggrieved party who prevails.

**(3)**

**(A)** Damages awarded by any court under this section shall be computed in accordance with either of the following clauses:

**(i)** the party aggrieved may recover the actual damages suffered by him as a result of the violation and any profits of the violator that are attributable to the violation which are not taken into account in computing the actual damages; in determining the violator's profits, the party aggrieved shall be required to prove only the violator's gross revenue, and the violator shall be required to prove his deductible expenses and the elements of profit attributable to factors other than the violation; or

**(ii)** the party aggrieved may recover an award of statutory damages for all violations involved in the action, in a sum of not less than \$250 or more than \$10,000 as the court considers just.

**(B)** In any case in which the court finds that the violation was committed willfully and for purposes of commercial advantage or private financial gain, the court in its discretion may increase the award of damages, whether actual or statutory under subparagraph (A), by an amount of not more than \$50,000.

**(C)** In any case where the court finds that the violator was not aware and had no reason to believe that his acts constituted a violation of this section, the court in its discretion may reduce the award of damages to a sum of not less than \$100.



(D) Nothing in this subchapter shall prevent any State or franchising authority from enacting or enforcing laws, consistent with this section, regarding the unauthorized interception or reception of any cable service or other communications service

**Sec. 571. - Regulatory treatment of video programming services**

**(a) Limitations on cable regulation**

**(1) Radio-based systems**

To the extent that a common carrier (or any other person) is providing video programming to subscribers using radio communication, such carrier (or other person) shall be subject to the requirements of subchapter III of this chapter and section 572 of this title, but shall not otherwise be subject to the requirements of this subchapter.

**(2) Common carriage of video traffic**

To the extent that a common carrier is providing transmission of video programming on a common carrier basis, such carrier shall be subject to the requirements of subchapter II of this chapter and section 572 of this title, but shall not otherwise be subject to the requirements of this subchapter. This paragraph shall not affect the treatment under section 522(7)(C) of this title of a facility of a common carrier as a cable system.

**(3) Cable systems and open video systems**

To the extent that a common carrier is providing video programming to its subscribers in any manner other than that described in paragraphs (1) and (2)

-

(A) such carrier shall be subject to the requirements of this subchapter, unless such programming is provided by means of an open video system for which the Commission has approved a certification under section 573 of this title; or

(B) if such programming is provided by means of an open video system for which the Commission has approved a certification under section 573 of this title, such carrier shall be subject to the requirements of this part, but shall be subject to parts I through IV of this subchapter only as provided in 573(c) of this title.

**(4) Election to operate as open video system**

A common carrier that is providing video programming in a manner described in paragraph (1) or (2), or a combination thereof, may elect to provide such programming by means of an open video system that complies with section 573 of this title. If the Commission approves such carrier's certification under section 573 of this title, such carrier shall be subject to the requirements of this part, but shall be subject to parts I through IV of this subchapter only as provided in 573(c) of this title.

**(b) Limitations on interconnection obligations**

A local exchange carrier that provides cable service through an open video system or a cable system shall not be required, pursuant to subchapter II of this chapter, to make capacity available on a nondiscriminatory basis to any other person for the provision of cable service directly to subscribers.

**(c) Additional regulatory relief**

A common carrier shall not be required to obtain a certificate under section 214 of this title with respect to the establishment or operation of a system for the delivery of video programming

**. 572. - Prohibition on buy outs**

**(a) Acquisitions by carriers**

No local exchange carrier or any affiliate of such carrier owned by, operated by, controlled by, or under common control with such carrier may purchase or otherwise acquire directly or indirectly more than a 10 percent financial interest, or any management interest, in any cable operator providing cable service within the local exchange carrier's telephone service area.

**(b) Acquisitions by cable operators**

No cable operator or affiliate of a cable operator that is owned by, operated by, controlled by, or under common ownership with such cable operator may purchase or otherwise acquire, directly or indirectly, more than a 10 percent financial interest, or any management interest, in any local exchange carrier providing telephone exchange service within such cable operator's franchise area.

**(c) Joint ventures**

A local exchange carrier and a cable operator whose telephone service area and cable franchise area, respectively, are in the same market may not enter into any joint venture or partnership to provide video programming directly to subscribers or to provide telecommunications services within such market.

**(d) Exceptions**

**(1) Rural systems**

Notwithstanding subsections (a), (b), and (c) of this section, a local exchange carrier (with respect to a cable system located in its telephone service area) and a cable operator (with respect to the facilities of a local exchange carrier used to provide telephone exchange service in its cable franchise area) may obtain a controlling interest in, management interest in, or enter into a joint venture or partnership with the operator of such system or facilities for the use of such system or facilities to the extent that -

**(A)** such system or facilities only serve incorporated or unincorporated -

**(i)** places or territories that have fewer than 35,000 inhabitants; and

**(ii)** are outside an urbanized area, as defined by the Bureau of the Census; and

**(B)** in the case of a local exchange carrier, such system, in the aggregate with any other system in which such carrier has an interest, serves less than 10 percent of the households in the telephone service area of such carrier.

**(2) Joint use**

Notwithstanding subsection (c) of this section, a local exchange carrier may obtain, with the concurrence of the cable operator on the rates, terms, and conditions, the use of that part of the transmission facilities of a cable system extending from the last multi-user terminal to the premises of the end user, if such use is reasonably limited in scope and duration, as determined by the Commission.

**(3) Acquisitions in competitive markets**

Notwithstanding subsections (a) and (c) of this section, a local exchange carrier may obtain a controlling interest in, or form a joint venture or other partnership with, or provide financing to, a cable system (hereinafter in this paragraph referred to as "the subject cable system"), if -

(A) the subject cable system operates in a television market that is not in the top 25 markets, and such market has more than 1 cable system operator, and the subject cable system is not the cable system with the most subscribers in such television market;

(B) the subject cable system and the cable system with the most subscribers in such television market held on May 1, 1995, cable television franchises from the largest municipality in the television market and the boundaries of such franchises were identical on such date;

(C) the subject cable system is not owned by or under common ownership or control of any one of the 50 cable system operators with the most subscribers as such operators existed on May 1, 1995; and

(D) the system with the most subscribers in the television market is owned by or under common ownership or control of any one of the 10 largest cable system operators as such operators existed on May 1, 1995.

**(4) Exempt cable systems**

Subsection (a) of this section does not apply to any cable system if -

(A) the cable system serves no more than 17,000 cable subscribers, of which no less than 8,000 live within an urban area, and no less than 6,000 live within a nonurbanized area as of June 1, 1995;

(B) the cable system is not owned by, or under common ownership or control with, any of the 50 largest cable system operators in existence on June 1, 1995; and

(C) the cable system operates in a television market that was not in the top 100 television markets as of June 1, 1995.

**(5) Small cable systems in nonurban areas**

Notwithstanding subsections (a) and (c) of this section, a local exchange carrier with less than \$100,000,000 in annual operating revenues (or any affiliate of such carrier owned by, operated by, controlled by, or under common control with such carrier) may purchase or otherwise acquire more than a 10 percent financial interest in, or any management interest in, or enter into a joint venture or partnership with, any cable system within the local exchange carrier's telephone service area that serves no more than 20,000 cable subscribers, if no more than 12,000 of those subscribers live within an urbanized area, as defined by the Bureau of the Census.

**(6) Waivers**

The Commission may waive the restrictions of subsections <sup>[1]</sup> So in original. Probably should be "subsection".

(A) the Commission determines that, because of the nature of the market served by the affected cable system or facilities used to provide telephone exchange service -

- (i) the affected cable operator or local exchange carrier would be subjected to undue economic distress by the enforcement of such provisions;
- (ii) the system or facilities would not be economically viable if such provisions were enforced; or
- (iii) the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served; and

(B) the local franchising authority approves of such waiver.

(e) "Telephone service area" defined

For purposes of this section, the term "telephone service area" when used in connection with a common carrier subject in whole or in part to subchapter II of this chapter means the area within which such carrier provided telephone exchange service as of January 1, 1993, but if any common carrier after such date transfers its telephone exchange service facilities to another common carrier, the area to which such facilities provide telephone exchange service shall be treated as part of the telephone service area of the acquiring common carrier and not of the selling common carrier

**Sec. 573. - Establishment of open video systems**

(a) Open video systems

(1) Certificates of compliance

A local exchange carrier may provide cable service to its cable service subscribers in its telephone service area through an open video system that complies with this section. To the extent permitted by such regulations as the Commission may prescribe consistent with the public interest, convenience, and necessity, an operator of a cable system or any other person may provide video programming through an open video system that complies with this section. An operator of an open video system shall qualify for reduced regulatory burdens under subsection (c) of this section if the operator of such system certifies to the Commission that such carrier complies with the Commission's regulations under subsection (b) of this section and the Commission approves such certification. The Commission shall publish notice of the receipt of any such certification and shall act to approve or disapprove any such certification within 10 days after receipt of such certification.

(2) Dispute resolution

The Commission shall have the authority to resolve disputes under this section and the regulations prescribed thereunder. Any such dispute shall be resolved within 180 days after notice of such dispute is submitted to the Commission. At that time or subsequently in a separate damages proceeding, the Commission may, in the case of any violation of this section, require carriage, award damages to any person denied carriage, or any combination of such sanctions. Any aggrieved party may seek any other remedy available under this chapter.

(b) Commission actions

**(1) Regulations required**

Within 6 months after February 8, 1996, the Commission shall complete all actions necessary (including any reconsideration) to prescribe regulations that -

(A) except as required pursuant to section 531, 534, or 535 of this title, prohibit an operator of an open video system from discriminating among video programming providers with regard to carriage on its open video system, and ensure that the rates, terms, and conditions for such carriage are just and reasonable, and are not unjustly or unreasonably discriminatory;

(B) if demand exceeds the channel capacity of the open video system, prohibit an operator of an open video system and its affiliates from selecting the video programming services for carriage on more than one-third of the activated channel capacity on such system, but nothing in this subparagraph shall be construed to limit the number of channels that the carrier and its affiliates may offer to provide directly to subscribers;

(C) permit an operator of an open video system to carry on only one channel any video programming service that is offered by more than one video programming provider (including the local exchange carrier's video programming affiliate): Provided, That subscribers have ready and immediate access to any such video programming service;

(D) extend to the distribution of video programming over open video systems the Commission's regulations concerning sports exclusivity (47 C.F.R. 76.67), network nonduplication (47 C.F.R. 76.92 et seq.), and syndicated exclusivity (47 C.F.R. 76.151 et seq.); and

(E)

(i) prohibit an operator of an open video system from unreasonably discriminating in favor of the operator or its affiliates with regard to material or information (including advertising) provided by the operator to subscribers for the purposes of selecting programming on the open video system, or in the way such material or information is presented to subscribers;

(ii) require an operator of an open video system to ensure that video programming providers or copyright holders (or both) are able suitably and uniquely to identify their programming services to subscribers;

(iii) if such identification is transmitted as part of the programming signal, require the carrier to transmit such identification without change or alteration; and

(iv) prohibit an operator of an open video system from omitting television broadcast stations or other unaffiliated video programming services carried on such system from any navigational device, guide, or menu.

**(2) Consumer access**

Subject to the requirements of paragraph (1) and the regulations thereunder, nothing in this section prohibits a common carrier or its affiliate from negotiating mutually agreeable terms and conditions with over-the-air

broadcast stations and other unaffiliated video programming providers to allow consumer access to their signals on any level or screen of any gateway, menu, or other program guide, whether provided by the carrier or its affiliate.

**(c) Reduced regulatory burdens for open video systems**

**(1) In general**

Any provision that applies to a cable operator under -

**(A)** sections 533 (other than subsection (a) thereof), 536, 543(f), 548, 551, and 554 of this title, shall apply,

**(B)** sections 531, 534, and 535 of this title, and section 325 of this title, shall apply in accordance with the regulations prescribed under paragraph (2), and

**(C)** sections 532 and 537 of this title, and parts III and IV of this subchapter (other than sections 543(f), 548, 551, and 554 of this title), shall not apply, to any operator of an open video system for which the Commission has approved a certification under this section.

**(2) Implementation**

**(A) Commission action**

In the rulemaking proceeding to prescribe the regulations required by subsection (b)(1) of this section, the Commission shall, to the extent possible, impose obligations that are no greater or lesser than the obligations contained in the provisions described in paragraph (1)(B) of this subsection. The Commission shall complete all action (including any reconsideration) to prescribe such regulations no later than 6 months after February 8, 1996.

**(B) Fees**

An operator of an open video system under this part may be subject to the payment of fees on the gross revenues of the operator for the provision of cable service imposed by a local franchising authority or other governmental entity, in lieu of the franchise fees permitted under section 542 of this title. The rate at which such fees are imposed shall not exceed the rate at which franchise fees are imposed on any cable operator transmitting video programming in the franchise area, as determined in accordance with regulations prescribed by the Commission. An operator of an open video system may designate that portion of a subscriber's bill attributable to the fee under this subparagraph as a separate item on the bill.

**(3) Regulatory streamlining**

With respect to the establishment and operation of an open video system, the requirements of this section shall apply in lieu of, and not in addition to, the requirements of subchapter II of this chapter.

**(4) Treatment as cable operator**

Nothing in this chapter precludes a video programming provider making use of an open video system from being treated as an operator of a cable system for purposes of section 111 of title 17.

**(d) "Telephone service area" defined**

For purposes of this section, the term "telephone service area" when used in connection with a common carrier subject in whole or in part to subchapter II of this chapter means the area within which such carrier is offering telephone exchange service